

MORRISON & FOERSTER LLP  
Jennifer Lee Taylor (Bar No. 161368)  
*JTaylor@mofo.com*  
Kimberly L. Taylor (Bar No. 240483)  
*KTaylor@mofo.com*  
425 Market Street  
San Francisco, California 94105  
Telephone: (415) 268-7000  
Facsimile: (415) 268-7522

Attorneys for Defendant  
TARGET CORPORATION

LATHAM & WATKINS LLP  
Kenneth M. Fitzgerald (Bar No. 142505)  
*kenneth.fitzgerald@lw.com*  
600 West Broadway, Suite 1800  
San Diego, California 92101  
Telephone: (619) 236-1234  
Facsimile: (619) 696-7419

James L. Day (Bar No. 197158)  
*jim.day@lw.com*  
Tienlon Ho (Bar No. 240997)  
*tienlon.ho@lw.com*  
Kateryna L. Rakowsky (Bar No. 246248)  
*kateryna.rakowsky@lw.com*  
95 Montgomery Street, Suite 2000  
San Francisco, California 94111  
Telephone: (415) 391-0600  
Facsimile: (415) 395-8095

Attorneys for Plaintiff  
GOCLEAR LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GOCLEAR LLC, a California limited liability company.

CASE NO. CV 08-02134 MMC

**STIPULATION AND [PROPOSED] ORDER  
EXTENDING TIME FOR GOCLEAR LLC TO  
FILE A REPLY IN SUPPORT OF ITS  
SUMMARY JUDGMENT MOTION**

AND ORDER CONTINUING HEARING ON  
PLAINTIFF'S MOTION TO JANUARY 16, 2009

TARGET CORPORATION, a Minnesota corporation,

Defendant.

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## AND RELATED COUNTERCLAIMS.

1 Plaintiff GoClear LLC (“GoClear”) and defendant Target Corporation (“Target”) enter  
2 into this Stipulation by and through their undersigned counsel.

3 WHEREAS, GoClear filed, on December 2, 2008, a motion for summary judgment with  
4 the hearing scheduled for January 9, 2009;

5 WHEREAS, Target filed its opposition to GoClear’s motion on December 19, 2008;

6 WHEREAS, pursuant to Civil Local Rule 7-3(c), the deadline for GoClear to file a reply  
7 in support of its motion was originally December 26, 2008;

8 WHEREAS, counsel for GoClear recently learned that the Court will be closed on  
9 December 26, 2008, resulting in new deadline for the reply of December 24, 2008;

10 WHEREAS, Target agrees that GoClear may have until December 29, 2008 to file and  
11 serve its reply brief;

12 NOW, THEREFORE, the parties stipulate and agree as follows:

13 1. GoClear will have until and including December 29, 2008 to file its reply in support of  
14 its motion for summary judgment.

15 2. Other deadlines will remain unchanged.

16 IT IS SO STIPULATED

17 Dated: December 22, 2008

LATHAM & WATKINS LLP

18 By: /s/  
19 James L. Day  
20 Attorneys for Plaintiff  
GoClear LLC

21 Dated December 22, 2008

MORRISON & FOERSTER LLP

22 By: /s/  
23 Jennifer Lee Taylor  
24 Attorneys for Defendant  
Target Corporation

25 Pursuant to Northern Dist. General Order 45-X(B), I attest that concurrence in the filing of this  
26 document has been obtained from the individuals identified above.

27 \_\_\_\_\_  
28 /s/  
Kateryna L. Rakowsky

## **ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED. Further, the hearing on plaintiff's motion is CONTINUED to January 16, 2009. *[Signature]*

Date : December 23, 2008

The Honorable Maxine M. Chesney